

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.

NO. CR20-151RAJ

**[PROPOSED] ORDER CONTINUING
TRIAL DATE AND PRETRIAL MOTIONS
DEADLINE**

EPHRAIM ROSENBERG,
JOSEPH NILSEN,
HADIS NUHANOVIC,
KRISTEN LECCESE,

Defendants.

THE COURT, having considered the Stipulated Motion to Continue Trial Date and Pretrial Motions Deadline, and all the files and records herein, finds as follows:

1. The facts and circumstances are as set forth in the Stipulated Motion to Continue Trial Date and Pretrial Motions Deadline;

2. The case is complex due to such factors as the nature of the charges and prosecution, the potential consequences, the possible questions of law and fact, the unusual complexity of the case, and the significant size, scope, and technical nature of discovery;

1 3. The Coronavirus Disease 2019 (COVID-19) pandemic and health-related
2 considerations further have hampered the parties' ability to examine evidence and
3 adequately prepare for trial;

4 4. Failure to grant a continuance in this case would deny counsel the
5 reasonable time necessary for effective preparation of trial and other pretrial proceedings,
6 taking into account the exercise of due diligence;

7 5. For these reasons, failure to grant a continuance could result in a
8 miscarriage of justice;

9 6. The ends of justice served by granting this continuance outweigh the best
10 interest of the public and the defendant in a speedy trial;

11 7. All these findings are made within the meaning of 18 U.S.C.
12 § 3161(h)(7)(A) and (B)(i),(ii) and (iv);

13 8. The period of time from the filing date of the Stipulated Motion to
14 Continue Trial Date and Pretrial Motions Deadline until the new trial date, set forth
15 below, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C.
16 § 3161(h)(7)(A).

17 IT IS THEREFORE ORDERED that:

18 1. The trial in this matter is continued to _____, at 9:00 a.m.;

19 2. Pre-trial motions are due no later than _____, with all pretrial
20 motions noted for consideration on the third Friday after filing, and responses thereto due
21 no later than fourteen (14) days after filing of motions;

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